

**ADVISORY COMMISSION OF SPECIAL EDUCATION**

October 19, 2000  
**MEETING MINUTES**

APPROVED 11/16/00
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CALIFORNIA SCHOOL FOR THE BLIND, THEATER  
500 WALNUT AVENUE  
FREMONT, CA 94536

**Thursday, October 19, 2000**

**Commission Members Present**

Loeb Aronin, Chair	Louis Cassani, Vice-Chair
Allison Brightman	Karla Geller
Angela Hawkins	Shirley Kaltenborn
Julie Kennedy	Janet Mangini
Barbara Monroe	Lawrence Siegel
Linda Wyatt	

**Commission Members Absent**

Patricia Flores-Charter	Veronica Lomeli
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**Student Members Present**

Shawn Mohammed	Danielle Morin
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**Legislative Members Absent**

Charles Poochigian, Senate Member	Susan Davis, Assembly Member
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**Governor's Office, Deputy of Education K-12, Liaison Absent**

Christine Aranda
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**State Board of Education Liaison Absent**

Susan Hammer	Kathryn Dronenburg
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**Department of Education Staff Present**

Alice Parker, Executive Secretary	Ronald S. Kadish, Director,
Director, Special Education Division	State Special Schools

**Department of Education Staff Present**

Janet Canning, Staff Liaison	Yolanda Starr, Commission Secretary
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**Thursday, October 19, 2000**

**CALL TO ORDER**

Chair Loeb Aronin called the meeting to order at 8:40 a.m. Roll was taken and a quorum was present.

**INTRODUCTIONS/ANNOUNCEMENTS**

Chair Aronin introduced Dr. Stuart Wittenstein, Superintendent, California School for the Blind, Fremont who was hosting the Commission's meeting.

Chair Aronin announced pictures taken of the Commission by were on the Special Education Division's website and shared copies with Commissioners. In addition, Chair Aronin thanked Larry Belkin, Director, Orange County Office of Education for his electronic newsletter version of the Commission's minutes complete with photographs.

Chair Aronin shared an article with the Commission regarding scoring systems from Psychologists' titled, "*Ten Top Reasons I Use Stanines*," by John Willis.

Vice-Chair Louis Cassani announced that Chair Aronin had been nominated for the Distinguished Psychologist of the Year Award, by the National Association of School Psychologists (NASP).

Commissioner Barbara Monroe shared a newsletter by the California School Employees Association. An article in the newsletter highlighted Commissioner Janet Mangini.

**OPERATIONS & PLANNING MEETING REPORT**

The Operations and Planning meeting was held on Wednesday evening, October 18, 2000. Points of discussion were:

- Commissioner Linda Wyatt was assigned as liaison to the Department of Rehabilitation covering a public hearing being held.
- Commissioner Judith Plasencia-Peinado resigned from the Commission.
- Chair Aronin sent a letter to the State Board of Education asking they reconsider appointing Dr. Edward Valles, San Diego State University in lieu of Ms. Plasencia-Peinado's resignation.
- Sean Ryan Rossell, Occidental College and Kevin Burney, Irvine Community College were two prospective student members of the Commission and would be invited to the Commission's November meeting.
- Student Member Danielle Morin volunteered to chair a committee to plan a recognition dinner for former Commissioners Natalye Black, Philip Chinn, Janice Emerzian, Larry Komar, Tim McNulty, Kendra Rose and former Student Member Sam Ogami. The recognition dinner will be on November 16, 2000 at the Queen Mary Hotel, Long Beach.
- Commissioners Barbara Monroe and Shirley Kaltenborn will be the Liaisons for the Charter Schools Workgroup and Commissioner Monroe the liaison for the High School Exit Exam and Infant/Toddler Task Force will be assigned prior to January Commission meeting.
- Chris St. Hillare was to be invited to one of the ad hoc Commission meetings.

- A meeting with John Mockler, Interim Secretary for Education, is planned in December 2000. The issues to be presented to Mr. Mockler include teacher retention, teacher decrease, and teacher support in classroom, class-size reduction.

**M/S/C 00-10-01**

**MOVE THAT ACSE ACCEPT BOTH STUDENT APPLICANTS TO THE COMMISSION—SEAN RYAN ROSSAL AND KEVIN VERDI, AND INVITE THEM TO THE NOVEMBER MEETING IN LONG BEACH. THESE YOUNG MEN WILL SPLIT THEIR TIME ON THE COMMISSION BY SEMESTERS OR ACCORDING TO THEIR SCHEDULES.**

**Kaltenborn/Monroe**

Chair Aronin will write letters to both students.

### **CHAIR REPORT**

Chair Aronin attended a task force meeting on charter schools regarding services for special education students.

A letter was faxed to all members of Congress in support of the language in 20 U.S.C. 1141 et seq. regarding full funding at the federal level.

Chair Aronin stated a large mailing of invitations was sent to a variety of stakeholder organizations inviting them to the October Commission meeting.

### **LIAISON REPORTS**

Vice-Chair Cassani requested that Staff Liaison Janet Canning provide direction of who to contact at the Juvenile Justice Department regarding the Commission's activities.

### **APPROVAL OF MAY 18, 2000 MINUTES:**

Correction: Delete Motion 4 on page 17 and change the following motion on page 18 to read "IEP or 504" and delete the word "to."

**M/S/C 00-10-02**

**MOVE THAT MOTION ON TOP OF PAGE 18 OF FRIDAY'S (MAY 19) MINUTES, THAT THE AUTHOR OF THE MOTION BE CHANGED FROM FLORES-CHARTER TO KALTENBORN SECONDED BY BARBARA MONROE.**

**WORDING CHANGES INCLUDE "REMOVE SLASH AND INSERT THE WORD "OR" (IEP OR 504) AND STRIKE THE WORD "TO." SHOULD READ "IEP OR 504 PLAN GUIDE TEST."**

**Kaltenborn/Monroe**

**M/S/C 00-10-03**

**MOVE TO DELETE MOTION ON BOTTOM OF PAGE 17 AS REDUNDANT  
AND NOT AS INCLUSIVE AS THE MOTION ON PAGE 18.**

**Cassani/Monroe**

**M/S/C 00-10-04**

**MOTION TO APPROVE THE MINUTES AS CORRECTED**

**Kaltenborn/Monroe**

**STUDENT MEMBER REPORTS**

Student Member Danielle Morin reported she contacted the Americans with Disabilities Act (ADA) and filed a complaint regarding accessibility for handicapped parking.

Student Member Shawn Mohamed reported he had been distributing his business cards around his campus and promoting the Commission's activities.

**State Special Schools Division Report, Dr. Ron Kadish, Director**, welcomed the Commission to the California School for the Blind. In addition, Dr. Kadish commended Dr. Stuart Wittenstein for his leadership and vision in developing a Community Advisory Committee consisting of many parents who participate in the School's programs. The California School for the Blind and the California School for the Deaf were the first special education programs authorized by the state legislature. Both were established in 1860.

**PROGRAM/POLICY COMMITTEE:**

Discussion ensued around the stakeholder meeting and issues of discussion. Issues needing attention were:

- Foster youth services
- Students who have Individualized Education Programs (IEPs) and are being served in Licensed Care Institutions (LCI)
- Nonpublic schools in California regarding credentialed teachers.
- Credentialed teachers in special education
- Lack of funding
- School districts operating close to their 3% reserve of general funds, and face potential takeover from the state.
- Federal funding

**PUBLIC INPUT:**

Larry Belkin, Director, Special Education Services, Orange County Department of Education, Costa Mesa, spoke to the Commission representing the local chapter of Council for Exceptional Children 188 and the Special Education Administrators for County Offices (SEACO).

Mr. Belkin read a message he received from the Chief of Governmental Relations, Mike Kilborn. The message regarded placing language in a Labor, Health and Human Services In Education Appropriation

bill. This bill would give home-schooled students the right to receive special education services. In addition, the bill would be amended with the following language: "Children with disabilities who are home-schooled shall not be prohibited from having access to programs and services under this act, whether or not their home school is treated as a private school or home school under state law." Mr. Belkin stated a result of this language could significantly increase a demand for special education services and concomitant increases in special education programs. It was suggested that anyone concerned with this bill call Randy Cunningham, San Diego area, at (202) 225-5452, Nancy Polosi, San Francisco area, (202) 225-4965, Chris Cox, San Francisco area, (202) 225-5611, and Ron Packard at (202) 225-3906. Mr. Belkin agreed to provide the Commission with copies of the article.

### **STUDENT PRESENTATIONS:**

Teachers, students and a parent from the California School for the Blind and the California School for the Deaf provided the Commission with a brief description of their activities and interests at the schools.

Dr. Deborah Tierney, Director of Education, who works with pre-school to high school students, introduced Sheila Bonito, a teacher in the functional middle school program and students Hope T. and Ashley A. Hope communicated with the aid of a device and stated she was 15 years old and lived in Pinole, California. Her dad picked her up from the bus every Friday and her dormitory's name is Southridge. Ashley stated she was 14 years old and lived in Oakland, California. Ashley studies Braille, computer programs, singing, art, speech, swimming and mobility.

In addition Dr. Tierney introduced Pauline Lee, a teacher in the Pilot School Preparation Program, students Brad B. and Claire S. and Hazel B., a parent. The pilot program taught students middle school skills and prepared them to return to public junior high schools with disability specific abilities. Brad, who is 11 years old, spoke about the large selection of library books on tape, large print, Braille and in normal print. Claire stated she is 12 years old and in her first year at CSB. She very much enjoyed the library, and learned the abacus, the Braille Lite, physical education and mobility. Hazel B. is a parent of a 13-year old daughter who is in the Middle School Preparation Program at CSB. Mrs. B. expressed her appreciation with the CSB's program in giving her daughter the opportunity to learn the skills necessary to return to public school.

Dr. Tierney introduced La Vernya Carr, Director of Transition, CSB. Dr. Carr distributed brochures to the Commission for their information. Five students involved in the program were introduced and spoke to the Commission.

Juan M. stated this was his last year and he had been at CSB for five years. Transition to Juan meant being prepared for the "real world." This involved job experience, cooking and laundry skills, and independent living skills. Juan also goes to 24-Hour Nautilus fitness program.

Alberto D. from Los Angeles, stated transition also meant to him being prepared for the "real world." Transportation was especially important to him and he learned to use public transportation and paratransit. He learned living skills such as cooking and laundry.

Rhiannon F. stated transition meant doing things for herself with the use of the Braille 'n Speak and the Braille Lite. Though Rhiannon completed her high school requirements, her high school district had continued her on the IEP saying she would be referred to CSB for the transition program. She stated her county did not have the equipment she needed to learn and she expressed sadness that this was her last year at CSB.

Tony G. has been at CSB for eight years and this is his last year. Transition meant becoming more independent. He has learned mobility and flies between Ontario and Oakland every Monday morning. Tony volunteers at the Fremont Police Department adding the hours for time sheets two days a week. He also volunteers at E-loan, a computer company.

Olga R. works at a Mexican restaurant washing pots/pans, and tables, and puts napkins in napkin holders. Olga is in the apartment program at CSB where the students are given \$30.00 a week and learn to budget and buy food for breakfast and dinner. The students learn to use kitchen appliances such as microwave, stovetop, oven, and woks.

Sharon Sacks, Assistant Superintendent, at CSB, welcomed the Commission to the school and stated CSB's goal was to make every student successful. The CSB works with many school districts in California providing technical assistance support, and transitioning students back to their local school districts.

#### Comments:

Commissioners commended the CSB's teachers for their diligent support and instruction of the students.

Students from the California School for the Deaf, Fremont (CSDF) also spoke to the Commission:

Larwan B., a senior at CSDF planned to attend Rochester Institute for Technology (RIT) and major in computer science/computer engineering. She spoke about the Career Center, which provides students with tools to succeed in the future. Programs offered are work experience, graphic arts classes, horticultural program, drafting classes, construction technology class, business office technology course, career center, and wood working class.

Andrew P., also a senior at CSDF spoke about the CSD academic program. The program is arranged to meet all the needs of the students by providing science, history, math, English, classes in international studies, multi-media journalism, college bound and working tracks.

Eugene M., a senior at CSDF is working at Stanford Furniture in Fremont. He came here from Russia and entered CSDF as a freshman. Eugene enjoyed working with his hands and has learned to use different tools for building in the Construction Technology class. Eugene said he enjoyed his work at Stanford Furniture and wanted to stay in this type of work in the future.

David J., a junior at CSDF, planned to attend RIT to major in photography and computer design. David has been involved in different student organizations such as student body government (currently vice-president), Foothills Athletic Association. He attended a weekend leadership retreat and was part

of the only deaf certified program there. As vice-president he enjoyed setting up parties for the schools and other activities.

Lawrence M., a senior at CSDF explained about the athletic department. The school plays against hearing schools and other deaf schools. The athletic program teaches students to improve their skills, grow and understand their talent as well as working as a team. The CSDF has the Western Championship Tournament in which all the western states play against each other. Lawrence also plans to major in imaging arts and social work at RIT.

Valerie H., a senior at CSDF planned to attend college and enroll in an arts program. Valerie is working with the web page at the school. Valerie showed the Commission a sample of the web page. Students had the freedom to create their own themes for the web page for the yearbook.

Allison M., a senior at CSDF planned to move to Arizona after graduation and attend a community college before enrolling in Rochester Institute for Technology's career counselor program. Allison explained the topic of "service learning." She has been involved in the Service Learning Youth Committee at CSDF. The Committee learns about issues related to the environment and homeless people. The Committee is involved with the Martin Luther King Junior Day project. Allison shared pictures of homeless people the Committee has helped.

Kathy R., a junior at CSDF spoke about STC programs. Kathy stated she was in the Business Office Technology Program and used Microsoft Word, Power Point, Internet, data entry and submitted examples of work she did. Her other classes are in writing where she learned to write applications and resumes. She has learned math applications used in business. Kathy visited a company called "Sterling" with a team of other students and did filing and copying material on a copier for a week. Kathy shared pictures taken of her and the students working at Sterling.

#### Comments/Questions:

Students were asked how local programs compared to CSDF's program.

The general consensus was that though local programs were good, deaf students were a minority and it was difficult to feel a part of the local schools. CSD's environment was less restrictive and more conducive to making friends and students felt more at ease there.

Chair Aronin thanked the staff and students for their presentations and expressed his admiration of their progress and articulation.

Commissioner Julie Kennedy requested the Commission research whether Signing Exact English (SEE) signing or American Sign Language (ASL) could be a foreign language that all students would take. This would be one way to alleviate the interpreter shortage and another way for students in mainstream schools to not be isolated.

Chair Aronin stated he would include having an interpreter speak to the Commission as an agenda item.



Dr. Kadish commented Orange County had an outstanding program for regionalized services. The School for the Deaf was not the only option for students who were deaf. The State Special Schools Division is working toward creating programs throughout California similar to Orange County's program.

Larry Belkin commented the University of California accepts ASL as a foreign language.

**IMPACT OF VETOED LEGISLATION: SUNSET REVIEW PROVISION**

**REQUIREMENT**, Janet Canning, Staff Liaison, Special Education Division, reported on the veto of Senate Bill 1633 (Alpert), the most recent omnibus bill for special education and briefly explained the process of reauthorizing Part 30 of the California Education Code. The CDE is required in the Education Code to submit a report to the Legislative Analyst's Office (LAO) before January 31, 2001. After the review and within 90 days, the LAO will submit recommendations to the Legislature. Ms. Canning stated Part 30 of the Education Code must be reauthorized by June 30, 2001 per Education Code 62000.8. The CDE will be working on a two-part legislative initiative.

1. Emergency legislation to be offered to remove special education from the list of categorical programs that must meet this reporting requirement.
2. A separate bill that would follow a typical reauthorization cycle. January 31, 2001 is the deadline for the legislative reporting requirement. Urgency language would include reauthorizing special education programs until June 30, 2005.

Ms. Canning explained the reasoning for the two-part initiative was if the urgency language that removed the sunset provision reporting requirement is approved, then the other typical reauthorization cycle legislation would be withdrawn.

Regarding background of the sunset report, Ms. Canning commented that in 1997 the CDE completed a sunset review report and Part 30 of the EC was reauthorized for two years.

Ms. Canning read to the Commission some of the recommendations in the report:

1. Reauthorization of special education.
2. Sunset Review—remove special education from sunset provision of Part 34, Education Code.
3. Shortage of qualified special education service providers.
4. Excess paperwork in special education.
5. Accountability issues.
6. Positive behavior support in a safe school environment.
7. Inadequate funding.

The CDE plans to produce an updated report following 30-day prior announcement that there would be a review of the sunset report. Ms. Canning suggested the CDE use the Commission's meetings in November 2000 and January 2001 for a public input opportunity in order to meet the timeline. A letter and survey will be mailed in early November requesting input from the public. A huge Stakeholder mailing list will be used including a broad array of organizations and parent groups.

Since there was no further business, the meeting adjourned at 3:30 p.m.

**Friday, October 20, 2000**

**Commission Members Present**

Loeb Aronin, Chair	Allison Brightman
Karla Geller	Angela Hawkins
Shirley Kaltenborn	Janet Mangini
Barbara Monroe	Lawrence Siegel
Linda Wyatt	

**Commission Members Absent**

Louis Cassani, Vice-Chair	Patricia Flores-Charter
Julie Kennedy	Veronica Lomeli

**Student Members Present**

Shawn Mohammed	Danielle Morin
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**Legislative Members Absent**

Susan Davis, Assembly Member	Charles Poochigian, Senate Member
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**Governor's Office, Deputy of Education K-12, Liaison Absent**

Christine Aranda

**State Board of Education Liaison Absent**

Susan Hammer	Kathryn Dronenburg
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**Department of Education Staff Present**

Ronald S. Kadish, Director, State Special Schools	Alice Parker, Executive Secretary Director, Special Education Division
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**Department of Education Staff Present**

Janet Canning, Staff Liaison	Yolanda Starr, Commission Secretary
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**Friday, October 20, 2000**

**CALL TO ORDER**

Chair Loeb Aronin called the meeting to order at 10:15 a.m. Roll was taken and a quorum was present.

**ANNOUNCEMENTS**

Chair Aronin announced the Commission had approved State Superintendent of Public Instruction, Delaine Eastin's designation of Alice Parker, Director, Special Education Division, California Department of Education as the Executive Secretary for the Commission.

In addition, Chair Aronin announced the Commission and audience would tour the California School for the Blind campus before the Commission meeting adjourned.

Commissioner Allison Brightman announced the stakeholder list had been divided so Commissioners would have three to four people to call as a follow-up to the October 4, 2000 letter and invite them to the upcoming stakeholder meetings in November, January and February.

Student Member Danielle Morin announced she met with Commissioners Cassani, Kaltenborn, and Brightman and finalized plans for the recognition dinner. Checks are to be made out to Commissioner Kaltenborn.

Commissioner Barbara Monroe announced she attended a meeting on October 19, 2000 that included legislative members from Senator Figueroa's and Assembly Member Dutra's office, media personnel, teachers, parents, and SELPA directors. Commissioner Shirley Kaltenborn and Student Member Danielle Morin also represented the Commission.

**PUBLIC INPUT:** There was no input from the public.

**Update: Modified Grades Work Group, Diana Blackmon, Consultant, California Department of Education,** distributed a packet and gave a brief update on the activities of the Modified Grades Work Group. The issue of accountability on a student level was a major focus of the work group. The issues the work group was working on were how accountability affected students with disabilities and what the CDE was doing to ensure appropriateness in accountability. Ms. Blackmon cited three major focuses the work group was dealing with regarding statewide accountability: (1) Statewide Assessment (SAT 9 STAR), (2) High School Exit Exam, (3) No social promotion movement.

Ms. Blackmon referred to a memo in the packet from Dr. Judith Heumann, Office of Special Education Programs (OSEP). Several points in Dr. Heumann's memo covered:

- Students with disabilities would not be exempt from taking the SAT 9 test. The new focus was to give attention to accommodation, not whether students would participate in the test.
- Trained teachers were needed to assist students in taking and passing the test, and accommodating the test.
- Desegregation of data to find out specifically how students with special needs progress.

- Individualized Education Program (IEP) teams were to determine what accommodations or modifications students will be allowed in statewide assessments.

#### High School Exit Exam

Ms. Blackmon referred to recommendations (in the packet) that were sent to the State Board of Education:

- 1) The exam would be for students covered under the Individuals with Disabilities Education Act (IDEA), students covered under the 504 plan, and students with disabilities.
- 2) It would be an IEP team decision.
- 3) A differential diploma was needed that would acknowledge students' achievement and allow them to pursue post-secondary training.

#### No Social Promotion Legislation

The criteria to be followed is SAT 9 scores or multiple measures including grades. (See packet handout)

**Special Education Division Report: Dr. Alice Parker, Director, California Department of Education**, thanked the Commission for supporting the decision of authorizing her designation as Executive Secretary for the Commission. In addition, Dr. Parker stated the authorization would allow her to continue the work she had begun on having school districts come into compliance with the Office of Special Education Programs' (OSEP) Corrective Action Plan.

Dr. Parker updated the Commission regarding the federal grant award letter. The OSEP had not responded to either the June 30, 2000 Report of Compliance or the August 31, 2000 letter from State Superintendent of Public Instruction, Delaine Eastin. In addition, Dr. Parker stated the CDE would request emergency funding from the Governor's Office and the Department of Finance in order to provide districts with the funds needed to continue the process of compliance.

The Special Education Division (SED) has continued to incorporate the steps that will lead to compliance equaling procedural guarantees plus educational benefits. Sixty-three verification reviews will be done in 2000. The reports on all sixty-three reviews will be completed by December 30, 2000 and will be shared with the Commission at its January 2001 meeting. The process of doing the reviews included random stratified samples of all disabilities and possible LRE situations in districts. From the group of samples, the review team will visit classrooms, interview staff during lunch or after school to obtain their knowledge of the IEP, understanding of the implementation and legal requirements, successful or unsuccessful processes. The teams will also contact parents of students whose files have been studied. A different random sample of parents will be invited to give feedback on their experiences with districts. (Note: Since the October Commission meeting, all parents will be invited to give feedback on their experiences with districts.)

The SED continued its follow-up of over 4,000 Corrective Action Plans on fifty-four districts from 1999. Nineteen facilitated districts are focusing on the educational benefits in 2000.

New administrators have been chosen for the two new Focused Monitoring and Technical Assistance Units in SED. Five to eight consultant positions will be offered to successful candidates the week of October 23, 2000. Dr. Parker stated recruitment was continuing throughout California for the vacant consultant positions.

Dr. Parker will be attending a two-day management retreat in Sacramento, November 20-21, 2000, for all managers in Special Education Division. The purpose of the retreat was to strategically plan the next step toward compliance.

A preplanning meeting for a Task Force on the Visually Impaired is scheduled for October 24, 2000. Dr. Parker will share information at the next Commission meeting and request Commission's participation.

Jim Bellotti, Manager, Administration Unit, will represent Dr. Parker at the Commission's meeting in November at Long Beach. Dr. Parker will be attending the National Association of State Directors of Special Education annual meeting.

The SED is continuing its work with the performance goals and indicators and invitation letters will be sent out in December to invite people to either a January or February task force meeting.

The State Special Schools Division, the Director's Office and the Administration Unit of the Special Education Division will be moving their quarters in November to the Travelers' Building, 428 J Street, 5th Floor, Sacramento.

**AGENDA PREPARATION FOR NOVEMBER MEETING:**

The stakeholder meeting will be scheduled from 1:00 p.m. to 5:00 p.m. on November 16, 2000.

The Sunset Report Review by Allan Simmons, retired annuitant, will be scheduled as a separate agenda item.

Dr. Parker stated she would attend the Operations and Planning meeting in January and participate in the discussion on the continuing stakeholder meetings.

Chair Aronin stated he would contact the committee co-chairs for input regarding the agenda for the January meeting.

Since there was no further business, the meeting adjourned at 12:40 p.m.